

TELEGRAM

Department of State

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FROM: MOSCOW  
TO: Secretary of State  
NO: 2160, APRIL 29, 3 AM

PRIORITY

SENT DEPARTMENT 2160; REPEATED INFORMATION LONDON 402, PARTS  
375, BONN 285, BERLIN 168

FOLLOWING IS TRANSLATION OF NOTE 29/OSA (ON BERLIN  
CORRIDOR FLIGHTS) DELIVERED TO EMBASSY AT 9 PM APRIL  
28:

THE MINISTRY OF FOREIGN AFFAIRS OF THE UNION OF SOVIET  
SOCIALIST REPUBLICS, CONFIRMING THE RECEIPT OF THE NOTE  
OF APRIL 13, 1959 OF THE EMBASSY OF THE UNITED STATES  
OF AMERICA, WHICH WAS AN ANSWER TO THE NOTE OF APRIL  
4, 1959 OF THE MFA USSR CONCERNING THE CRUDE VIOLATION  
BY AN AMERICAN AIRPLANE OF THE EXISTING SYSTEM OF  
FLIGHTS IN THE AIR CORRIDOR BETWEEN THE FRG AND BERLIN,  
CONSIDERS IT NECESSARY, ON THE INSTRUCTION OF THE SOVIET  
GOVERNMENT, TO STATE THE FOLLOWING.

THE ARGUMENTS CONTAINED IN THE SAID NOTE OF THE EMBASSY  
IN JUSTIFICATION OF THE VIOLATION BY AN AMERICAN  
C-130 AIRPLANE ON MARCH 27 OF THE ESTABLISHED HEIGHT  
OF FLIGHTS IN THE AIR CORRIDOR BETWEEN THE FRG AND BERLIN  
AND OF POSSIBLE SIMILAR VIOLATIONS IN THE FUTURE ARE  
COMPLETELY UNFOUNDED, INASMUCH AS THERE EXISTS A DEFINITE  
SYSTEM AND ESTABLISHED PRACTICE FOR FLIGHTS IN THE AIR  
CORRIDOR STRETCHING OVER THE TERRITORY OF THE GERMAN  
DEMOCRATIC REPUBLIC, AND NO ONE CAN VIOLATE THIS SYSTEM  
WITHOUT THE AGREEMENT OF THE OTHER SIDE. SUCH A SYSTEM  
OF FLIGHTS, WHICH HAS BEEN IN EXISTENCE ALREADY  
MORE THAN TEN YEARS, IS NATURAL AND NECESSARY IN THE  
MATTER OF GUARANTEEING THE SAFETY OF FLIGHTS OF ALL

AIRCRAFT

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-2<sup>nd</sup> 2160, APRIL 29, 3 AM FROM MOSCOW

AIRCRAFT WHICH MAY BE IN THE AIR CORRIDOR OR IN THE REGION OF THIS CORRIDOR.

AS FOR THE REFERENCE CONTAINED IN THE NOTE TO THE SOVIET AIRPLANE TU-104, SUCH A REFERENCE IS UNRELATED TO THE MATTER, SINCE IT IS KNOWN THAT THE AIRPLANE TU-104 DOES NOT FLY ALONG THE AIR CORRIDOR BETWEEN THE FRG AND BERLIN. IN FLIGHTS OVER THE TERRITORY OF OTHER COUNTRIES, SOVIET AIRCRAFT, INCLUDING ALSO THE TU-104, STRICTLY ADHERE TO THOSE HEIGHTS WHICH HAVE BEEN ESTABLISHED FOR THEM. WHEN THE NECESSITY OF CHANGING THE TERMS OF FLIGHT ARISES, THE QUESTION CONCERNING THIS IS PUT BEFORE THE OTHER SIDE, AND NO CHANGES OF THE ESTABLISHED SYSTEM ARE MADE WITHOUT ITS AGREEMENT.

IN ITS NOTE, THE U.S. GOVERNMENT CALLS FOR THE GUARANTEEING OF THE CONDITIONS OF SAFETY OF FLIGHTS IN THE SAID AIR CORRIDOR BY WAY OF IMPLEMENTATION OF THE ESTABLISHED RULES. THIS APPEAL CANNOT BUT CAUSE SURPRISE INASMUCH AS JUST THE AMERICAN SIDE IS PERMITTING VIOLATIONS. AND JUST THE U.S. GOVERNMENT SHOULD GIVE INSTRUCTIONS TO ITS AUTHORITIES TO REFRAIN FROM VIOLATIONS OF THE EXISTING SYSTEM AND RULES FOR FLIGHTS OF AIRCRAFT IN THE AIR CORRIDOR OVER THE TERRITORY OF THE GDR. ONLY UNDER THESE CIRCUMSTANCES CAN THERE BE CREATED THE CONDITIONS NECESSARY FOR THE SAFETY OF FLIGHTS IN THIS CORRIDOR AND CAN THERE BE ELIMINATED THE DANGER OF INCIDENTS WHICH CAN LEAD TO SENSELESS LOSSES OF HUMAN LIVES.

HOWEVER, INSTEAD OF CEASING SUCH FLIGHTS, THE AMERICAN AUTHORITIES HAVE AGAIN RESORTED TO A CRUDE VIOLATION OF THE EXISTING SYSTEM FOR FLIGHTS IN THE AIR CORRIDORS STRETCHING OVER THE TERRITORY OF THE GDR. THUS, ON APRIL 15, AN AMERICAN TRANSPORT AIRPLANE, AGAINST THE PROTESTS OF THE SOVIET REPRESENTATIVES IN THE BERLIN AIR SAFETY CENTER, MADE A FLIGHT TO BERLIN AND RETURN AT A HEIGHT OF MORE THAN SEVEN THOUSAND METERS. THESE ACTIONS OF THE AMERICAN AUTHORITIES IN GERMANY, UNDERTAKEN AT THE MOMENT OF PREPARATION FOR THE GENEVA CONFERENCE OF MINISTERS OF FOREIGN AFFAIRS, CANNOT BE ASSESSED

AS OTHER

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AS OTHER THAN DIRECTED AT AGGRAVATION OF THE SITUATION.

THE SOVIET GOVERNMENT, CONFIRMING THE POSITION SET FORTH IN ITS NOTE OF APRIL 4, ONCE MORE DRAWS THE ATTENTION OF THE U.S. GOVERNMENT TO THE DANGEROUS CHARACTER OF THE ACTIONS OF THE AMERICAN AUTHORITIES IN GERMANY AND EXPECTS THAT THE U.S. GOVERNMENT TAKE APPROPRIATE MEASURES IN CONNECTION WITH THIS.

THOMPSON

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